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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/213,099	12/17/1998	JOHN I. YKEMA	1109-CIP-93	7418

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EXAMINER

VO, TIM T

ART UNIT	PAPER NUMBER
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2112

DATE MAILED: 02/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/213,099

Applicant(s)

YKEMA, JOHN I.

Examiner

Tim T. Vo

Art Unit

2112

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-93 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-24, 35, 52-74 and 80-93 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☒ Claim(s) 25-34, 36-51 and 75-79 are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 1/21/99.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

Part III DETAILED ACTION

Notice to Applicant(s)

1. This application has been examined. Claims 1-93 are pending.
2. The application has been transferred Tim Vo Art Unit 2112. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2112.

Election/Restrictions

3. Restriction to one of the following inventions is required under 35 U.S.C 121:
 - I. Claims 1-25, 35, 52-75 and 80-93, drawn to an electrical modular power mode, classified in class 700, subclass 286.
 - II. Claims 26-34, 36-45, 48-51 and 76-79, drawn to a power bus backplane, classified in class 361, subclass 788.
 - III. Claims 46-47, drawn to a module, classified in class 361, subclass 796.

The inventions are distinct, each from the other because of the following reasons:

4. Invention I and II-III are related as combination and subcombination.

Inventions in this relationship are distinct if it can be shown that (1) the combination as claimed does not required the particulars of the subcombination as claimed for patentability, and (2) that the subcombination has utility by itself or in other combinations MPEP 806.05c. In the instant case, the combination as claimed does not require the particulars of the subcombination as claimed because the combination has separate utility such as a power distribution control system, for example in vehicle technology. The subcombination has separate utility such as a backplane and a

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module, the backplane can be used such as buses panel in a network telecommunication system or host system, and the module can be used in vary electronic devices.

5. Inventions II and III are related as subcombination disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, invention II has separate utility such as busses panel can be used in telecommunication system, and invention III has separate utility such as battery or power supply module see MPEP 806.05d.

Because these inventions are distinct for the reasons given above and have acquired a separate status in the art as shown by their different classification, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above and the search required for group I is not required for group II-III, restriction for examination purposes as indicated is proper.

Because these inventions are distinct for the reasons given above the search required for the group II is not required for III, restriction for examination purposes as indicated is proper.

6. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventor ship must be amended in compliance with 37 CFR 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventor ship must be accompanied by a petition under 37 CFR 1.48(b) and by the fee required under 37 CFR 1.17(I).

Response to Traverse Election/Restriction

7. Applicant's election with traverse of groups II, III and IV in the reply filed on 12/17/04 is acknowledged. The traversal is on the ground(s) that combination/subcombination are distinct relationship if it can be shown (1) the combination as claimed does not require the particulars of the subcombination as claimed for patentability and (2) that the subcombination has a utility by itself or in other combinations. This is not found persuasive because examiner has demonstrated the combination/subcombination has separate utility such as a backplane and a module. Wherein the backplane can be used such as buses panel in a network telecommunication system or host system, and the module can be used in vary electronic devices. This reason corresponds to the GUIDELINES of chapter 803 of the MPEP. The Guidelines stated "For purposes of the initial requirement, a serious burden on the examiner may be prima facie shown if the examiner shows by appropriate explanation of separate classification, or separate status in the art, or a different field of search...". The reason indicated above wherein the backplane and the module is clearly in different field of search and therefore, the restriction given is proper.

The requirement is still deemed proper and is therefore made FINAL.

Allowable Subject Matter

8. Claims 1-24, 35, 52-74 and 80-93 are allowable over the prior of records.

Examiner's Statement of Reasons for Allowance

9. The following is an Examiner's statement of reasons for the indication of allowable subject matter: Claims 1, 52 and 80 are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior arts. As for claim 1, prior arts fails to teach the connectors facing the power bus backplane being positioned to connect with specific terminals within each pattern on the bus bars such that each pattern of terminals on the backplane will accept minimum dimension modules at each terminal position without interfering with other module at other terminal positions. As for claims 52 and 80, prior arts fail to teach respective ones of the bus bars running in a first direction and being adapted to carry differing phases and/or polarities of power with plural ones of the bars carrying individual phases and/or polarities being connected together by tie bars and tied bars extending generally transversely to the first direction, with the bus bars and tied bars of respective phases/polarities being generally coplanar and perpendicularly spaced from one another.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Tim T. Vo whose telephone number is 571-272-3642. The examiner can normally be reached on 7:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on 571-272-3632. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



2/21/05

Tim T. Vo
Primary Examiner
Art Unit 2112